

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                   |   |                     |
|-----------------------------------|---|---------------------|
| -----X                            | : |                     |
| MARCO ANTONIO ORTEGA,             | : |                     |
|                                   | : |                     |
| Plaintiff,                        | : |                     |
|                                   | : | 21 Civ. 10212 (LGS) |
| -against-                         | : |                     |
|                                   | : | <u>ORDER</u>        |
| THE MATILDA GOURMET DELI INC., ET | : |                     |
| AL.,                              | : |                     |
| Defendants.                       | : |                     |
| -----X                            |   |                     |

LORNA G. SCHOFIELD, District Judge:


WHEREAS, the Order, dated January 26, 2022, required, “if Plaintiff is in communication with Defendants, the parties shall file the joint letter and proposed case management plan as soon as possible and no later than **February 23, 2022, at noon**, and shall explain why they have not complied with the Court’s deadlines. If Defendants refuse to cooperate in the preparation of these documents, Plaintiff shall prepare and file them. If Plaintiff is not in communication with the corporate Defendants, no later than **February 23, 2022, at noon**, Plaintiff shall file a letter (1) requesting further adjournment of the initial pretrial conference for up to 30 days and (2) proposing a date prior to the conference to present an Order to Show Cause for default judgment as to the corporate Defendants and related papers as provided in the Court’s Individual Rules.”

WHEREAS, no letters or proposed case management plan were filed. It is hereby

**ORDERED** that if Plaintiff is in communication with Defendants, the parties shall file the joint letter and proposed case management plan as soon as possible and no later than **February 25, 2022, at noon**, and shall explain why they have not complied with the Court’s deadlines. If Plaintiff is not in communication with the corporate Defendants, no later than **February 25, 2022, at noon**, Plaintiff shall file a letter (1) requesting further adjournment of the initial pretrial conference for up to 30 days, (2) proposing a date prior to the conference to present an Order to

Show Cause for default judgment as to the corporate Defendants and related papers as provided in the Court's Individual Rules and (3) explaining why Plaintiff has not complied with the Court's deadlines. Failure to comply with Court-ordered deadlines will result in dismissal for failure to prosecute.

Dated: February 23, 2022  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**